

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES)	
)	
V.)	CR. NO. 04-10129-RCL
)	
MARK MCARDLE)	
_____)	

DEFENDANT'S ASSENTED-TO MOTION TO
CONTINUE STATUS CONFERENCE

The defendant moves, with the assent of Assistant United States Attorney, Michael J. Pelgro, that this Court continue the status conference date from December 17, 2004 to any day and time during January or February 2005, except the following dates: January 14, 20 and 24, 2005.

In support of his request, the defendant avers the following:

1. Counsel for the defendant has a conflict in her schedule and is not available on December 17, 2004.
2. AUSA, Michael J. Pelgro has no objection to the motion to continue.
3. The affidavit of counsel is hereby incorporated into this motion.

WHEREFORE, the defendant moves that this Court continue the status conference date from December 17, 2004.

Mark McArdle
By His Attorneys

CARNEY & BASSIL

_/s/_Janice Bassil_

Janice Bassil
B.B.O. # 033100
CARNEY & BASSIL
20 Park Plaza
Suite 1405
Boston, MA 02116
617-338-5566
jbassil@CarneyBassil.com

Dated: December 2, 2004

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by mail or fax or in hand on or before the above date.

_/s/_Janice Bassil_

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**AFFIDAVIT SUPPORTING
ASSENTED TO MOTION TO CONTINUE
PURSUANT TO MASS. R. CRIM. P. 10(A)**

I, Janice Bassil, state that the following information is true to the best of my knowledge and belief:

1. I represent the defendant, Mark McArdle in this matter.
2. The above-captioned case is scheduled for Status Conference on December 17, 2004.
3. I have a conflict in scheduled and am not available to appear on December 17, 2004
4. My assistant spoke with A.U.S.A, Mike Pelgro and he has no objection to this continuance.
5. I am in frequent contact with the defendant and he is aware of all proceedings.
6. I will inform the defendant of the new date.

Signed under the pains and penalties of perjury this 2nd
day of December 2004.

_/s/_Janice Bassil_